

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

July 1, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, July 1, 1981 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Hughes (arrived 8:15 p.m.),
Murphy, Pinkerton and
McCarty

Absent: Councilmen - Katnich

Also

Present: City Manager Graves, Assistant City
Manager Glenn, Public Works Director
Ronsko, Community Development Director
Schroeder, City Attorney Stein, and
City Clerk Reimche

INVOCATION

The invocation was given by Pastor Walter
Dingfield, First Baptist Church

PLEDGE

Mayor McCarty and Boy Scout David Morita of
Troop 293 jointly led the pledge of allegiance
to the flag.

JAPANESE NATIONAL
CHAMPIONSHIP
SOFTBALL TEAMS
VISIT LODI

Mayor McCarty announced that he had just had
the pleasure of welcoming two National Champion-
ship softball teams from Japan who are presently
visiting and playing softball in Lodi.

PUBLIC HEARINGS

APPEAL RE
PLANNING
COMMISSION'S
DENIAL FOR
VARIANCE PERMIT
FOR REDUCED REAR
YARD

Notice thereof having been published in accordance
with law and affidavit of publication being on
file in the office of the City Clerk, Mayor McCarty
called for the Public Hearing to consider the
appeal of Joy Wallace of the denial by the
Lodi Planning Commission for a Variance Permit for
a reduced rear yard at 246 N. Mills Ave., Lodi,
California.

The matter was introduced by Community Develop-
ment Director Schroeder, who presented diagrams
of the subject area. Speaking on behalf of the
appeal was Ms. Joy Wallace's father, Mr. Clinton
Hoellworth, 1818 W. Locust Street, Lodi.

There being no other persons in the audience
wishing to speak on the matter, the public por-
tion of the hearing was closed.

Following a lengthy discussion, with questions being
directed to staff, to Joy Wallace and to Mr.
Hoellworth, her father, Council, on motion of
Mayor McCarty, Murphy second, granted a Variance
Permit to Joy Wallace for a reduced rear yard
at 246 N. Mills Ave., Lodi, California.

APPEAL OF
PLANNING
COMMISSION DENIAL
FOR VARIANCE
PERMIT FOR
REDUCED PARKING
AT 301 WEST
LOCUST STREET,
LODI

Notice thereof having been published in accor-
dance with law and affidavit of publication being
on file in the office of the City Clerk, Mayor
McCarty called for the Public Hearing to consider
the appeal of Morris and Wenell of the denial
by the Lodi Planning Commission for a Variance
Permit for reduced parking at 301 West Locust
Street.

The matter was introduced by Community Development
Director Schroeder, who presented diagrams of
the subject area.

Continued July 1, 1981

Speaking on behalf of the appeal was Mr. Larry Wenell, 301 W. Locust Street, Lodi.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion with questions being directed to Staff and Mr. Wenell, Council, on motion of Councilman Hughes, Pinkerton second, denied the appeal of Morris and Wenell of the denial by the Lodi Planning Commission for a Variance Permit for reduced parking at 301 West Locust Street, Lodi.

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of June 22, 1981:

PLANNING
COMMISSION ITEMS
SET FOR PUBLIC
HEARING

The Planning Commission -

1. Recommended the approval of the request of Garth Johnson to amend the permitted Use List in the C-S, Commercial Shopping District to permit Electronic Game Centers after first acquiring a Use Permit from the Planning Commission.

The Planning Commission certified and recommended Negative Declaration No. ND-81-6 for this project.

2. Recommended that the area encompassed by the Tentative Subdivision Map of Summerfield (i.e. 1820 and 1902 South Church Street) be rezoned from R-1 and R-2, Single-Family Residential and R-GA, Garden Apartment Residential to P-D(22), Planned Development District No. 22.

The Planning Commission certified and recommended Negative Declaration No. ND-81-13 on this project.

On motion of Mayor Pro Tempore Murphy, Pinkerton second, the heretofore listed items were set for hearing on July 15, 1981.

The Planning Commission also -

1. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of K.B.S. Construction for the Revised Tentative Map of Stonebrook, a 1.18 acre condominium development proposed for 1780 South Hutchins Street in an area zoned R-MD, Medium Density Multiple Family Residential.
2. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Thomas Development, Inc., and Marthel, Inc., for a Tentative Parcel Map to divide an existing parcel at the north-east corner of North Church Street and Louie Avenue (i.e. Sanguinetti Park) into two parts with Parcel "A" containing 2.952 acres, and Parcel "B" containing 4.504 acres in an area zoned P-D(17), Planned Development District No. 17.

The Planning Commission certified Negative Declaration No. ND-81-12 for this project.

Continued July 1, 1981

3. Conditionally approved the request of Dillon Engineering on behalf of Dennis Bennett for the Tentative Subdivision Map of Aldon Place, a proposed 8-unit condominium project at 1311 South Central Avenue in an area zoned R-MD, Medium Density Multiple Family Residential.

The Planning Commission certified Negative Declaration No. ND-81-14 for this project.

4. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers on behalf of William Clemings for the Tentative Subdivision Map of Fox Borough, a proposed condominium project, at 512 East Vine Street in an area zoned R-HD, High Density Multiple Family Residential.

In a related matter the Planning Commission determined that Zoning Hardships existed and granted variances to reduce the required front yard and increase the height of the rear yard fence.

The Planning Commission certified Negative Declaration No. ND-81-15 for this project.

5. Conditionally approved the Tentative Map of Summerfield, a 9.4 acre, 81-unit planned development project located at 1820 and 1902 South Church Street in an area proposed to be zoned P-D(22), Planned Development District No. 22.

COMMUNICATIONS
(CITY CLERK)

CG-7(B)
CG-43

UNMET TRANSIT
NEEDS

COG LETTER

CG-5(C)
CG-7(C)

SPORTS ADVISORY
BOARD REQUEST

CG-4C

COMMENTS BY
CITY
COUNCILMEN

ALMOND DRIVE
ESTATES MOBILE
PARK REQUESTS
RE DRIVEWAY
INSTALLATION

CG-45(b)

The City Clerk presented a check to the Council in the amount of \$710.00 which had been received from the "Old" Lodi High School Foundation Committee.

City Clerk Reimche presented a letter which had been received from Mr. Peter D. Verdoorn, Executive Director of San Joaquin County Council of Governments, stating that pursuant to the San Joaquin County Council of Government's 1981-82 Unmet Transportation Needs hearing of March 24, 1981, the COG Executive Board determined that for Fiscal Year 1981-82 there are unmet transportation needs in the City of Lodi that can reasonably be met with available State mandated resources under the Transportation Development Act.

City Clerk Reimche presented a letter which had been received from the Sports Advisory Board requesting the procurement of a recreation supervisor for the Parks and Recreation Department. No formal action was taken on the matter by the Council.

No comments were offered by any of the City Councilmen.

Ms. Laura Bainbridge, Attorney-at-Law, representing the owners of the Almond Drive Estates Mobile Park, addressed the Council requesting the installation of a 60 - 70 foot wide driveway at the entrance to their property. A brief history of the events leading to this request was made by Ms. Bainbridge.

Continued July 1, 1981

Following a lengthy discussion, with questions being directed to Staff, Ms. Bainbridge and the property owner who was also in the audience, Council, on motion of Councilman Hughes, McCarty second, granted the installation of a 35' driveway for Almond Drive Estates Mobile Park, which installation could be expanded upon the determination of the Public Works Director if he determines that 35' would create a hardship. Staff is to check with other Cities and Casa de Lodi regarding policies for driveways for such installations.

Councilman Pinkerton asked to abstain from voting on the matter because he felt the Council did not have sufficient facts in the matter.

The motion carried by the following vote:

Ayes: Councilmen - Hughes and McCarty

Noes: Councilmen - Murphy

Abstain: Councilmen - Pinkerton

Absent: Councilmen - Katnich

REQUEST BY LODI
RACQUET BALL CLUB
FOR TEMPORARY
STAY ON
INSTALLATION OF
"NO PARKING"
SIGNS

cc-496

Following a request by Mr. Gary J. Vochatzer and a lengthy Council discussion, at which time Mr. Vochatzer indicated the Club is attempting to purchase the Hittle property, Council tacitly concurred to grant a temporary stay on the installation of "No Parking" signs on the frontage road in front of the Lodi Racquet Ball Club, awaiting receipt of a proposal from the Club on limiting its membership.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by the Council.

* * * * *

CLAIMS

100-9

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,118,207.04.

MINUTES

The Minutes of June 3, 1981 were approved as written.

PLANS AND SPECS
FOR CENTRAL AVENUE
STORM DRAIN
APPROVED

33-6

The Plans and Specifications for "Central Avenue Storm Drain, Tokay Street to Hilborn and Eden Street, Central to Garfield" were presented for Council's approval. In general, the work consists of installing a 24" storm drain in Eden Street from Central to Garfield and smaller storm drains in Central Avenue from Tokay to Hilborn. Curb and gutter will be replaced from Lodi Avenue to the alley south of Hilborn Street. Catch basins and curb returns will be replaced at the other intersection, within the project limits.

Continued July 1, 1981

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "CENTRAL AVENUE STORM DRAIN, TOKAY STREET TO HILBORN AND EDEN STREET, CENTRAL TO GARFIELD", AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

DEVELOPMENT
AGREEMENT
GOLDEN CORRAL/
SANBORN APPROVED

COUNCIL APPROVED THE DEVELOPMENT AGREEMENT AND THE IMPROVEMENT SECURITY FOR 1170 AND 1190 SOUTH CHEROKEE LANE AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

ACCEPTANCE OF
"WELL #19
SITE
IMPROVEMENTS"

Council was informed that the contract for "Well #19 Site Improvements" which was awarded to Case Construction Company of Lodi on April 15, 1981 in the amount of \$20,070 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "WELL #19 SITE IMPROVEMENTS", AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
"MAXWELL STREET
PAVING"

Council was apprised that the improvements included in the contract for "Maxwell Street Paving, Ackerman Drive to Stockton Street" which had been awarded to Claude C. Wood Co. on May 6, 1981 in the amount of \$19,640 have been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "MAXWELL STREET PAVING, ACKERMAN DRIVE TO STOCKTON STREET" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
"SALAS PARK -
INTERIOR
DRAINAGE"

Council was informed that the improvements in "Salas Park, Interior Drainage" which had been awarded to Granite Construction Co. of Stockton on October 1, 1980 in the amount of \$26,593.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "SALAS PARK - INTERIOR DRAINAGE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION THEREON WITH THE COUNTY RECORDER'S OFFICE.

IMPROVEMENTS
ACCEPTED 645
HALE ROAD

RES. NO. 81-87

Council was apprised that the development improvements and streets included at 645 Hale Road, Lodi, have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Leonard J. and Rose A. Williams dated March 17, 1981 and as specifically set forth in the plans and specifications approved by the City Council.

RESOLUTION NO. 81-87

RESOLUTION NO. 81-87 ACCEPTING THE DEVELOPMENT IMPROVEMENTS AND STREETS INCLUDED AT 645 HALE ROAD, LODI

Continued July 1, 1981

ACCEPTANCE OF "LAWRENCE PARK PARKING LOT RECONSTRUCTION" Council was informed that the improvements in "Lawrence Park Parking Lot Reconstruction, Lockeford Street at Washington Street", which contract was awarded to Claude C. Wood Co. of Lodi on April 15, 1981 in the amount of \$28,841.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

12-45(E)

COUNCIL ACCEPTED THE IMPROVEMENTS IN "LAWRENCE PARK PARKING LOT RECONSTRUCTION, LOCKEFORD STREET AT WASHINGTON STREET" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

RATE INCREASE APPROVED TO SANITARY CITY, INC., FOR REFUSE COLLECTION SERVICE Councilman Pinkerton introduced agenda item "j" - "Request by Sanitary City for refuse rate increase" stating that at the City Council meeting of June 30, 1981, Mayor McCarty appointed Mayor Pro Tempore Murphy and Councilman Pinkerton as a committee to review the rate increase requested by Sanitary City, Inc., for refuse collection service.

URGENCY ORD. NO. 1230 ADOPTED

CC-220

Sanitary City, Inc.'s request was for a blanket 15% increase for residential and commercial service. After reviewing the request, it is the recommendation of the committee that a 9.8% rate increase is justified. Sanitary City will waive all future monthly charges to the City of Lodi for refuse collection as consideration of the additional fees to be paid.

City Clerk Reimche read into the record a letter received from Thomas C. Young, 311 LaVida Drive, Lodi, suggesting that either 1) the City pay the going rate for garbage service and allow other services to stand on their own, or 2) identify the service that the garbage fee is supporting so the City Council and Lodi citizens can determine if the service is worth the cost.

Following Council discussion, with questions being directed to Staff, Council, on motion of Councilman Hughes, McCarty second, adopted Urgency Ordinance No. 1230 approving a rate increase to Sanitary City, Inc., for refuse collection service on all bills prepared after July 1, 1981 as follows:

RESIDENTIAL

1 Can	\$3.85
Each additional can	1.75

COMMERCIAL SERVICE

All rates to be increased 9.8%

SPECIAL SERVICES AND BINS

All rates to be increased 9.8%

Sanitary City will waive all future monthly charges to the City of Lodi for refuse collection as consideration of the additional fees to be paid.

Continued July 1, 1981

PUBLIC HEARING
RE EILERS
REORGANIZATION
AND DETACHMENTRES. NO. 81-88
CC-583

Following introduction of the matter by Community Development Director Schroeder, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 81-88 setting for Public Hearing on Wednesday, August 5, 1981 at 8:00 p.m., consideration of the approval of the Eilers Reorganization and Detachment.

RESOLUTION
DECLARING
INTENTION TO
CALL FOR BIDS
FOR GAS AND
OIL LEASES ON
CITY PROPERTYRES. NO. 81-80
CC-2500

City Manager Graves apprised the Council that the City had received inquiries regarding oil and gas leases on the City's White Slough Water Pollution Control Plant Property.

Following Council discussion, with questions being directed to the City Manager and City Attorney, Council, on motion of Councilman Pinkerton, Hughes second, adopted Resolution No. 81-80 - "A Resolution of the City Council of the City of Lodi, California, declaring its intention to call for bids for a certain oil and gas lease and making findings in connection therewith" and authorizing the City Clerk to advertise for bids thereon.

AWARD - ROCK
AND SAND
MATERIAL FOR
FISCAL YEAR
1981-82

City Manager Graves presented the following bid which had been received for Rock and Sand Material for Fiscal Year 1981-82 as follows:

Supplier - CLAUDE C. WOOD CO.

RES. NO. 81-81
CC-126Item No. 1 - 3/4" Class 2 Aggregate Base

A) F.O.B. Plant (100 Tons)	\$8.031
B) Stockpile City Limits (500 Tons)	\$6.731

Item No. 2 - Concrete Sand

A) F.O.B. Plant (100 Tons)	\$8.72
B) Stockpile City Limits (400 Tons)	\$7.42

Item No. 3 - 1/4" x #10 Crushed Rock Screening

A) F.O.B. Plant (100 Tons)	\$11.105
B) Stockpile City Limits (400 Tons)	\$ 9.805

Item No. 4 - 4" x 8" Cobbles

A) F.O.B. Plant (100 Tons)	\$10.151
B) Stockpile City Limits (300 Tons)	\$ 8.851

Following recommendation of the City Manager, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 81-81 awarding the contract for Rock and Sand Material for F. Y. 1981-82 as follows:

Claude C. Wood Company

Item No. 1 A & B
Item No. 2 A & B
Item No. 3 A & B
Item No. 4 A & B

Continued July 1, 1981

City Manager Graves presented the following bid which had been received for Asphalt Materials for first quarter Fiscal Year 1981-82:

Supplier - CLAUDE C. WOOD CO.

Item No. 1 - Dense Grade Asphalt Concrete,
Type B 3/8". Asphalt Binder
shall be Viscosity Grade
AR-4000 Paving Asphalt

A) F.O.B. Plant (300 Tons)	\$25.68
B) Stockpile City Limits (100 Tons)	\$24.751
C) Hopper of Paver (1600 Tons)	\$26.341

Item No. 2 - Dense Grade Asphalt Concrete,
Type B 1/2". Asphalt Binder
shall be Viscosity Grade AR-4000
Paving Asphalt

A) F.O.B. Plant (50 Tons)	\$25.415
B) Stockpile City Limits (100 Tons)	\$24.486
C) Hopper of Paver (100 Tons)	\$26.076

AWARD - 1st
 QUARTER
 ASPHALT
 MATERIAL

RES. NO. 81-82

Following recommendation of the City Manager, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 81-82 awarding the contract for asphalt material for the first quarter of Fiscal Year 1981-82 as follows:

Claude C. Wood Co.	Item No. 1 A, B, & C
	Item No. 2 A, B, & C

AWARD -
 THREE-PHASE
 PADMOUNT
 TRANSFORMER

RES. NO. 81-83

Council was informed that the following bids had been received for a three-phase padmount transformer:

Supplier - RTE CORPORATION

"A" Price w/Tax	\$ 5,959.32
"B" Cost of Losses	\$ 5,100.00
"A" + "B" Life-Cycle Cost	\$11,059.32
Estimated Delivery (weeks)	13

Supplier - SQUARE D COMPANY

"A" Price w/Tax	\$ 7,501.62
"B" Cost of Losses	\$ 4,451.00
"A" + "B" Life-Cycle Cost	\$11,952.62
Estimated Delivery (weeks)	13

Supplier - GENERAL ELECTRIC SUPPLY CO.

"A" Price w/Tax	\$ 8,745.00
"B" Cost of Losses	\$ 4,018.00
"A" + "B" Life-Cycle Cost	\$12,763.00
Estimated Delivery (weeks)	13-15

Supplier - KUHLMAN ELECTRIC CO.

No Bid

Continued July 1, 1981

On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 81-83 awarding the contract for one 500 kva three-phase pad-mount transformer, to the low bidder RTE Corporation in the amount of \$5,959.32.

AGREEMENTS WITH
STATE RE CROSSING
PROTECTION
APPROVED

RES. NO. 81-84

Agenda item "p" - "Grade Crossing Protection at Sacramento, Main and Stockton Streets" was introduced by Public Works Director Ronsko. Mr. Edward P. Thurban, Jr., of the Public Utilities Commission and Mr. Howard Husky of the Southern Pacific Transportation Company were in the audience and addressed the Council concerning the matter and responded to questions as were posed by the Council.

Following discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 81-84 approving agreements with the State on Railroad Crossing Protection - Sacramento Street, Main Street, Stockton Street, and authorized the Mayor and City Clerk to execute the documents on behalf of the City.

GRADE CROSSING
PROTECTION AT
TURNER, LOMA,
HAM, AND
CALIFORNIA
CROSSINGS

RES. NO. 81-85

COUNCIL URGES
ALLOCATION OF
CVP POWER TO
CITY OF LODI

Following introduction of agenda item "q" - "Grade Crossing Protection at Turner, Loma, Ham and California Crossings", Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 81-85 authorizing railroad protection installations on SPRR Woodbridge Branch at Turner Road, Loma Drive, Ham Lane, and California Street.

Following introduction of the matter by City Manager Graves, Council, on motion of Mayor Pro Tempore Murphy, Hughes second, adopted Resolution No. 81-86 urging allocation of C.V.P. Power to the City of Lodi.

RES. NO. 81-86

1981-82
OPERATING BUDGET
ADOPTED

Assistant City Manager Glenn completed his presentation of the proposed 1981-82 Budget. Comparisons of cost regarding the Electrical Utility - Operation and Capital were presented for Council's perusal and questions.

ORD. NO. 1231
INTRODUCED

Following discussion with questions being directed to Staff, Council, on motion of Councilman Pinkerton, Murphy second, introduced Ordinance No. 1231 approving the 1981-82 Budget with estimated operating expenses of \$23,777,230. The motion carried by unanimous vote of those present.

The Council adjourned to "Closed" Session at approximately 12:15 a.m. and reconvened at approximately 12:40 a.m.

APPOINTMENTS
TO VARIOUS
BOARDS &
COMMISSIONS

Mayor McCarty with the concurrence of the City Council, on motion of Mayor Pro Tempore Murphy, Pinkerton second, made the following appointments:

Library Board of Trustees

Reappointed C. M. Sullivan to a three-year term commencing July 1, 1981

Continued July 1, 1981

Planning Commission

Reappointed Harry L. Marzolf to a four-year term commencing July 1, 1981

Appointed Lee W. Ekstrom to a four-year term commencing July 1, 1981

Personnel Board of Review

Reappointed A. E. Sperring to a four-year term commencing July 1, 1981

Reappointed Arthur E. Tussey to a four-year term commencing July 1, 1981

Lodi's Representative to the San Joaquin Economic Development Assn.

Larry Walker, President, Holz Rubber Company

Advisory Board 49-99 Library System

Louise Zastrow- two-year term commencing July 1, 1981

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at approximately 12:50 a.m., July 2, 1981.

ATTEST:


ALICE M. REIMCHE
CITY CLERK